



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2016-145

**Date:** March 15, 2017

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 8 Hamilton Road

**Applicant Name:** 8 Hamilton Road, LLC  
**Applicant Address:** 1208 VFW Parkway, Suite 103, West  
Roxbury, MA 02132  
**Owner Name:** 8 Hamilton Road, LLC  
**Owner Address:** 1208 VFW Parkway, Suite 103, West  
Roxbury, MA 02132  
**Alderman:** Katjana Ballantyne



**Legal Notice:** Applicants and Owners, 8 Hamilton, LLC, seek a Special Permit under SZO §4.4.1 to increase the FAR by finishing the basement and attic, and a Special Permit under Article 9 of the SZO for parking relief.\* RA Zone. Ward 7.

**Dates of Public Hearing:** Zoning Board of Appeals – March 15, 2017



**\* Since this legal ad was run, it has been determined that there is no need for parking relief. An explanation of this determination appears in the report.**

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## I. PROJECT DESCRIPTION

1. **Subject Property:** The property contains a 2,268 square square-foot, two-family residential structure situated on a 3,049 square foot lot in the RA zone. The building has 2.3 stories and presents first and second floor enclosed porches.
2. **Proposal:** The Applicant proposes to add two dormers, one each to the left and right elevations. The basement and attic spaces will both be finished, adding more living space to the property. The dormer additions and finishing of the attic and basement result in an increase in FAR.

Currently, the property has two bedrooms in Unit 1 and three bedrooms in Unit 2. The bedroom count for each unit after renovations will be three, bringing the building total to six. On their application, the Applicant states that the property currently provides three parking spaces. However, Staff review finds that only one parking space is truly provided, in the garage. The other two parking spaces indicated by the applicant are tandem to the garage, making for a situation of three tandem parking spaces. Staff only recognizes this situation as providing one parking space currently.

Despite this increase in bedroom count and the ability of the Applicant to provide only one true parking space under existing conditions, it has since been determined that the Applicant does not need parking relief. The explanation for this determination appears later in this report.

3. **Green Building Practices:**

The application states that the project will not exceed stretch code.

4. **Comments:**

## II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1 of the SZO. This section of the report goes through §5.1 in detail.

1. **Information Supplied:**

Staff finds that the information provided by the Applicant conforms to the requirements of §4.4.1 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permit.

2. **Compliance with Standards:** *The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."*

*Section 4.4.1 states that "[l]awfully existing one-and two-family dwellings which are only used as residences, which are non-conforming with respect to dimensional requirements,*

***may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5.”***

The property is non-conforming in several ways, but the non-conformity triggering the need for special permit is the FAR.

#### **Regarding §4.4.1 of the SZO**

The existing basement is currently unfinished. This unfinished space contains storage space for the two units, mechanicals, and electrical panels. There is a walkway within the basement that allows access to these areas.

The Applicant proposes finishing the basement for the exclusive use of Unit 1. The finished space will contain two bedrooms, a family room, full bath, walk-in closet, laundry and mechanicals. To accommodate emergency egress from the two new bedrooms, areaways will be added outside of each bedroom egress window. Staff finds this alteration to comply with the standards of the ordinance in that it allows a property owner to make some modifications to a property that provide for additional living space without adding to the building's massing on the site or within the neighborhood.

Eliminating the chimney stack and finishing the attic space will also contribute to the increase in FAR. The attic space is currently unfinished. The Applicant proposes to finish the attic space to create a master bedroom suite for Unit 2. The Applicant proposes to gain usable space to create this suite by constructing two dormers, one on the right elevation and the other on the left elevation. At 14' 9 1/2" and 14' 8", these dormers are less than 50% of the roof plane to which they are attached, which measures to 42' 11 1/4". Both dormers fall outside of the right and left yard setbacks. Staff finds that these alterations comply with the standards of the ordinance in that it allows for a property owner to add a reasonable amount of living space to the building, in this case, to accommodate a master bedroom. The total bedroom count for this unit will remain the same, with the bedrooms re-arranged to be located in different areas of the house than before the renovations.

The Applicant also proposes to remove some massing from the front of the structure by opening up the two front porches which are currently enclosed. As the Planning Office is not supportive of enclosed front porches due to the additional massing they create along front facades of buildings, Staff finds that the reduction in massing created by opening the porches will be an improvement to the site and to the streetscape, allowing for more interaction between the building residents and the sidewalk/street.

**Regarding Article 9 of the SZO**

Although the total bedroom count is increasing by one on the property, there is no need for parking relief. This determination was made as follows:

Unit #	Existing Bedrooms	Req'd Parking	Proposed Bedrooms	Req'd Parking
1	2	1.5	3	2.0
2	3	2.0	3	2.0

Total Req'd Parking (existing conditions) **3.5 spaces**

Total Req'd Parking (proposed conditions) **4.0 spaces**

The parking calculation is as follows:

**(New Parking Requirement – Old Parking Requirement) x .5 = No. of new spaces required**

$$(4.0 - 3.5 = .5 \times (.5) = .25^*$$

*\*When the parking calculation results in a number that is less than 1 (or negative numbers), additional parking does not need to be provided by the Applicant.*

3. **Consistency with Purposes:** *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

The proposal, as conditioned by Staff, is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to secure safety from fire, panic and other dangers; and to encourage the most appropriate use of land throughout the City.

The proposal is also consistent with the purposes of the RA zoning district which are "...to establish and preserve quiet neighborhoods of one- and two-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.

4. **Site and Area Compatibility:** *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."*

Staff finds that the proposed changes to the interior of the building will not have any significant impact on the site or the surrounding area. Staff finds that finishing a basement is a reasonable manner through which an Applicant can gain more livable space in their building.

Staff finds that the most impactful aspects of this project are the addition of the two dormers to the roofline and the opening of the two front porches. Staff finds that the proposed dormers are modest in size, especially when compared to the length of the roof plane to which they are attached. Though houses of a similar style on this street do not present right and left elevation dormers, Staff finds that, given that the style of the house is an early 20<sup>th</sup>-century four-square,

side elevation dormers of this nature would not be inconsistent with either as-built four-squares of the period or later additions thereto.

Opening the two-story front porches is inconsistent with the other similarly-styled residential structures on this street; numerous ones present two-story enclosed porches in the same “style” as those of 8 Hamilton. However, Staff finds that the proposal to open these porches is consistent with the policies of the Planning Office which no longer allows for front porches to be enclosed. Staff finds that opening these porches will reduce the massing of the house on the front elevation and will have a positive impact on the streetscape.

**5. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.***

The proposal does not add to the City’s affordable housing stock.

**6. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville’s neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs.***

The proposal contributes to SomerVision in that it improves a property in this neighborhood.

### III. RECOMMENDATION

#### Special Permit under §4.4.1

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes				
1	Approval is to increase the FAR by finishing the basement and adding a dormer to the right and left elevations.	BP/CO	ISD/ Plng.					
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>January 23, 2017</td><td>Initial application submitted to city clerk’s office</td></tr></table>				Date (Stamp Date)	Submission	January 23, 2017	Initial application submitted to city clerk’s office
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January 23, 2017	Initial application submitted to city clerk’s office							
ANY changes to the approved plans, other than those changes made specifically to conform with the conditions below, must first be submitted to the Planning Division to determine whether or not they are <i>de minimis</i> in nature or whether they require review by the SPGA.								
2	The Applicant must contact the Engineering Department to coordinate the timeline for cutting or opening the street and/or sidewalk for utility connections or other construction. <u>There is a moratorium on opening streets from November 1<sup>st</sup> to April 1<sup>st</sup> and there is a list of streets that have additional opening restrictions.</u>	BP	Eng/ISD					
3	The Applicant shall present their electrical plan to lights and lines/wiring for their review and approval prior to the issuance of a Building Permit.	BP	Wiring/ISD					
4	The Applicant shall provide the Traffic & Parking Division with a plan for construction traffic management for that division’s review and approval prior to the issuance of a building permit. <u>This plan shall include delivery windows for construction equipment and materials.</u>	BP	T&P / ISD					
5	The Applicant shall present a demolition plan to the Inspectional Services Division (ISD) and shall follow that departments procedures for demolition and neighborhood notification thereof exactly.	BP	ISD					
6	ALL materials including, but not limited to, siding, windows, trim, fencing, hardscape, decking, etc., shall be submitted to Planning Staff for their review and approval PRIOR TO the issuance of a building permit and prior to their installation.	BP	Planning/IS D					
Construction Impacts								

7	The applicant shall post the name and phone number of the general contractor and all sub-contractors at the site entrance where it is visible to people passing by.	During Construction	ISD	
8	For the convenience of and respect for the neighborhood, during the construction phase, construction work shall not begin prior to 7:30am and shall finish no later than 5pm Monday through Friday. <u>There shall be no construction or construction-related work performed on weekends.</u>	During Construction	ISD	
9	Deliveries to the construction site shall be limited to 9am to 3pm so as not to interfere with the comings and goings of neighborhood residents during peak commute times.	During Construction	ISD/T&P	
10	Approval is subject to the Applicant's and/or successor's right, title and interest in the property.	Cont./perpetual	Plng.	Deed submitted & application formed signed
11	The Applicant shall, at their expense, replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc.) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW/ISD	
12	All construction materials and equipment shall be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Division must be obtained.	During Construction	T&P	
<b>Design</b>				
13	NO vinyl shall be used for clapboard, trim, decking, fencing, windows or the like.	CO	ISD/Plng	
14	Taking a cue from the front porch windows, all windows shall be 6-over-one. Grids must be applied over the glass or true divided lites used. No between-the-glass muntins shall be allowed. No reflective or tinted glass shall be used. Dark spacers shall be used. Window sash, muntins, casing, stile and rail shall be dark colored. Vinyl windows shall not be allowed.	CO	ISD/Plng	
15	All exterior lighting on the site shall be downcast and shall not, in any way, spill onto abutting properties.	Final sign off / Perpetual	Wiring Inspector	
16	Windows that are installed on any portion of the building that is 3 feet or less from the lot line shall be inoperable, fire-rated windows that comply exactly with ISD / building code requirements. The Applicant shall work directly and closely with ISD to ensure compliance.	CO/Perpetual	ISD/Plng	
17	All venting shall be painted or wrapped to match the color of the portion of the building from which it exits.			
<b>Site</b>				

18	Pervious pavers or grasscrete shall be used for the parking area on the right elevation of the property. Materials shall be submitted to Planning Staff for their review and approval prior to installation.	CO	ISD/Plng	
19	The left side of the property, up to the gate leading to the back yard, shall be landscaped with vegetation and a flag or fieldstone path shall lead to the yard gate. <u>This area shall not be covered with pervious pavers.</u> <u>A revised landscaping plan shall be presented to Planning Staff for their review and approval prior to installation and prior to CO.</u>	CO	ISD/Plng	
20	ALL landscaping materials, including hardscape, shall be submitted to Planning Staff for their review and approval prior to installation. Physical examples of hardscape shall be presented to Staff for their review and approval.	CO	ISD/Plng	
21	All at-grade mechanical equipment shall be screened with evergreen vegetation ( <u>no arborvitae</u> ). Planning Staff shall approve vegetative screening prior to installation.	CO/Perpetual	ISD/Planning	
22	All trash and recycle areas shall be screened with cedar wood lattice or similar screening. Planning Staff shall approve such screening. No dumpsters shall be permitted on site (after the construction period is complete).	CO/Perpetual	ISD/Planning	
23	ALL utilities shall be buried underground	CO/Perpetual	Lights & Lines	
<b>Public Safety</b>				
24	The Applicant and/or Owner(s) shall meet the Fire Prevention Bureau's requirements.	CO	FP	
25	All smoke/fire detectors shall be hard-wired.	CO	FP/ISD	
26	As per Somerville regulations, no grills or similar cooking/heating apparatus shall be permitted on decks. Condo docs or rental agreements shall state as such.	Perpetual	ISD/FP	
<b>Final Sign-Off</b>				
27	<u>The Applicant shall contact Planning Staff at least five (5) working days in advance of a request for a final inspection</u> by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	ISD/Plng.	